

MINUTES
KITTY HAWK TOWN COUNCIL
Monday, January 5, 2015
Kitty Hawk Town Hall, 6:00 PM

Agenda

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Approval of Agenda
4. Beach Nourishment – FAQ's
5. Public Comment
6. Consent Agenda
 - a.) Approval of December 1, 2014 Council Minutes
 - b.) Revenues and Expenses Report for November 2014
 - c.) Donation to the Police Department
 - d.) FY 14-15 Budget Amendment #3
 - e.) FY 14-15 Budget Amendment #4
7. Items Removed from the Consent Agenda
8. Planning
 - a.) Unfinished Business: Conditional Use Permit/Application for a conditional use permit to construct three 2,520 square foot buildings to contain medical offices and a veterinary clinic at 5121, 5125 and 5129 Putter Lane.
 - b.) Site Plan Review: Application for approval of a site plan proposing a small addition to Atlantic Dentistry.
 - c.) Call for Public Hearing: Text Amendment: Application to amend Section 42-252(c) of the Kitty Hawk Town Code to allow "truck rentals" as a conditional use, subject to certain conditions, in the Community Shopping Center (BC-3) zoning district. A public hearing is requested to be scheduled for the February 2, 2015 Town Council meeting.
 - d.) Call for Public Hearing: Conditional Use Permit/Application for a conditional use permit to allow truck rentals, subject to certain conditions at The Home Depot, located at 5300 N. Croatan Highway. A public hearing is requested to be scheduled for the February 2, 2015 Town Council meeting
9. Reports or General Comments from Town Manager
 - a.) Coastal Planning and Engineering Update
 - b.) Compliments to the Fire Department and Police Department
 - c.) Lillian Street Beach Access Parking Expansion Update
10. Reports or General Comments from Town Attorney
11. Reports or General Comments from Town Council
 - a.) Traffic Congestion at Ocean Boulevard and US 158 Intersection
 - b.) Vehicle Rentals as a Permitted Use in Commercial Areas
 - c.) Overton Property and Winks Update
12. Public Comment
13. Recess to Monday, January 12, 2015, 10:00 a.m., Kitty Hawk Town Hall, Discussion of Privatization of Ocean Rescue

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COUNCIL MEMBERS PRESENT:

Mayor Gary Perry, Mayor Pro Tem Ervin Bateman, Councilman Craig Garriss, Councilwoman Emilie Klutz and Councilman Jeff Pruitt

STAFF MEMBERS PRESENT:

Town Manager John Stockton, Town Clerk Lynn Morris, Town Attorney Steve Michael, Town Planner Rob Testerman, Finance Officer Charlene Allen, Police Chief Joel Johnson, Fire Chief Lowell Spivey, Public Works Director Willie Midgett

1. Call to Order

Mayor Perry called the meeting to order at 6 p.m. and asked the audience and staff to join council in a moment of silence and Pledge of Allegiance.

2. Moment of Silence/Pledge of Allegiance

Following a moment of silence the Pledge of Allegiance was recited.

3. Approval of Agenda

MPT Bateman made a motion to approve the agenda. Councilman Garriss seconded the motion and it was unanimously approved, 5-0.

4. Beach Nourishment – FAQ's

Mayor Perry read aloud the following comments, questions and answers:

1.) Provide additional clarification of nourishment cost increases above those originally discussed when the project was first publically discussed.

Answer: In addition to quantity of sand due to beach slope and water depth other factors included things such as planning for annual maintenance to meet regulatory monitoring and future re-nourishment in order to be eligible for FEMA assistance in the event of damage prior to the end of a five year life cycle when normal re-nourishment would be expected.

2.) Will the county contribution increase with the additional cost projected for this project?

Answer: In fact all of the increase in nourishment cost above what was originally projected for Kitty Hawk has been absorbed into the county wide beach nourishment Occupancy tax. The town has not been tasked with any increase in shared cost or debt service beyond that originally proposed.

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3.) Rationalize the two cent additional tax currently collected for storm damage reduction that will be removed from base rate and moved into the MSDs rates.

Answer: That increase was necessary to ensure funds for the aforementioned items and similar issues could be paid for. Council put that money into a special fund titled Storm Damage Reduction so any money not used directly involved with nourishment project could be used for other projects such as flood pump-out pipes. That said money put into that account could be used by following councils for anything they chose to do. By eliminating that two cent unrestricted tax increase and shifting it into an MSD restricted account future councils cannot use that tax increase for anything except to pay for the proposed nourishment project.

4.) What was the formula used for determining MSD (A) rate versus MSD (B) rate?

Answer: There is no special formula. Council used the N.C. General Assembly wording to define special service districts within their borders and to levy additional taxes in those areas to provide services or facilities that are not offered throughout the unit or that are offered at a lower level in the rest of the unit. This is consistent with what the other towns are doing. Council members have discussed this question with many non-beach property owners and found most would rather not have to deal with the cost of doing a project but understand that not doing something has an impact upon work, commute and quality of life in the community. Conversely many beach property owners were present or represented at the initial forum in October 2013 and were vocal in a desire to pursue a nourishment project.

5.) The higher tax rate proposed for MSD (A) is discriminatory and unfair because there would be no town if not for the beach.

Answer: The rest of council has not been consulted for this answer and should not be held accountable for the response. This is entirely my answer to the question. For 100 plus years the village known as Kitty Hawk has existed without the beach being of absolute importance. Before intense development of the section east of what is now US 158 the village of Kitty Hawk thrived. The beach area was used for subsistence, some recreation and later for life saving of seafaring men and women. There is no property owner alive today that could not have known, or certainly should have known, the hazards of building, along with the reward, of living on the low lying beach strand. People that chose not to live in that flood prone hazard should not have to pay the full cost of protecting those whom knowingly chose to build there.

6.) Is the town planning to put toll booths at beach assesses or will parking meters be added for non-beach property owners?

Answer: The current council has no plan to install toll booths or parking meters anywhere in town. Access to Kitty Hawk beach areas will remain free the same way non-beach areas remain open to public access.

7.) A third MSD should be added since the houses and lots east of NC 12 will realize an expanded lifespan with several spaces having sufficient dry sand square footage to support new structures.

Answer: Places where publicly funded sand is placed on a lot does not permit building expanding structures based on the new sand adding to square footage. While sand placed on a private lot, via easement, remains in private ownership the owner is not allowed to change by human or mechanical means that portion of new sand. If nature moves by wind or wave the sand anywhere else on the property then the owner can use that material within CAMA limitation to his or her advantage. CAMA regulators have told officials that no new or expanded building can be placed east of NC 12 in Kitty Hawk. That restriction is not expected to change as a result of pumping sand on our beach.

8.) The oceanfront homes east of NC 12 should pay more since they really gain more than anyone else.

Answer: One penny per hundred of the current valuation for oceanfront property east of NC 12 from town boundary to boundary accounts for approximately \$5,000 per year. The Hilton is included in that figure. The substantial MSD rate those homes and the Hilton would have to pay in order to make reasonable contribution could be considered usurious and still insufficient to the total funding required.

9.) Nourishment of the beach will impose additional requirements on property owners with regard to public access, sand fencing, beach pushing or similar issues.

Answer: The comment is correct. Council will be required to issue restrictions against removing sand fencing or beach pushing from nourished areas. Cutting through dunes cannot be permitted. Public access to a publically funded beach is acknowledged. Access to that nourished beach via private property is not permitted without the express approval of the property owner. Public access will be via public access points already established or those yet to be constructed.

a.) The town receptionist received a call from a man stating he wanted to get married in Kitty Hawk on the beach and when could he expect us to have a beach?

Answer: We hope the love is strong, patient and will endure at least until the year 2016.

Perry: We are trying to answer your questions as we get them. I am sure there will be more. I understand that the MSD packet should be in the mail if not by tomorrow then by the 7th. The printer has assured us that will happen so we will have something more out there for you to look at and perhaps questions but these are all questions that have come to us and we are trying to give you answers. Please network this information. It is important to everybody in Kitty Hawk because everybody in Kitty Hawk is affected in one way or another.

Mayor Perry then asked for public comments.

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5. Public Comment

There were no public comments.

6. Consent Agenda

a.) Approval of December 1, 2014 Council Minutes. *(An affirmative vote for the consent agenda will approve these minutes.)*

b.) Revenues and Expenses Report for November 2014. *(An affirmative vote for the consent agenda will acknowledge this report.)*

c.) Donation to the Police Department. A donation of \$200 was made to the police department by William A. West of Glenelg, Maryland. The police chief would like to use the funds for future purchases of automated external deflators. *(An affirmative vote for the consent agenda will accept this donation.)*

d.) FY 14-15 Budget Amendment #3. This amendment will recognize revenues and expenditures of donations from Joe Lamb, Jr. and Associates and OBX Yogurt previously accepted by council for automated external defibrillator (AED) purchases and Project Lifesaver. *(An affirmative vote for the consent agenda will approve this amendment.)*

e.) FY 14-15 Budget Amendment #4. This amendment will recognize the TASER grant revenue previously accepted by council and the expenditure. *(An affirmative vote for the consent agenda will approve this amendment.)*

Councilwoman Klutz made a motion, seconded by MPT Bateman, to approve the consent agenda. The motion passed unanimously, 5-0.

7. Items Removed from the Consent Agenda

No items were removed.

8. Planning

a.) Unfinished Business: Conditional Use Permit/Application for a conditional use permit to construct three 2,520 square foot buildings to contain medical offices and a veterinary clinic at 5121, 5125 and 5129 Putter Lane. Although each building will be on its own separate lot, the development will share a common parking area, drive aisles, and access drives onto Croatan Highway and Putter Lane. Specifically, approval for the following types of conditional uses is being sought as part of this application: licensed physician offices, chiropractor offices, optometrist offices, and veterinary hospitals/clinics.

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Testerman: *This application is for three buildings each 2,520 square feet to contain medical offices and a veterinary clinic. The text amendment was approved at the last meeting to allow the veterinary clinic by conditional use. It seems the main point of conflict with last month's discussion was the ingress/egress to Putter Lane. I had a chance to speak with the engineer prior to the meeting tonight and he has spoken with the owner and it sounds as if they are willing to install signs indicating no thru traffic to try and ease the concerns of the residents on Putter Lane. Another idea that was mentioned was signage for emergency vehicles.*

Perry: *Before I ask for a motion Rob is right. I think all of us are concerned about Putter Lane access. The rest of this quite frankly meets the objective of the town code. The question then is Putter Lane and perhaps an additional condition for signage. In order to do that we need to be sure we document why we are doing it. What reason do we have? Looking at page 6 in the information we have are the objectives that Kitty Hawk uses to try and follow the Land Use Plan. On page 6, objective 13(e), it states to seek ways to provide and ensure a safe environment for pedestrians in commercial areas; to minimize pedestrian-vehicular conflicts in commercial areas; and, to improve circulation patterns in commercial areas. What we have is a commercial area that has been laid out by the architect that takes care of those things but because of emergency conditions and a fire hydrant we have to have access to Putter Lane. The property owner has every right to have access to Putter Lane and we all recognize that. What we do not want to do is increase commercial traffic on Putter Lane.*

The other thing that had been tossed about was a right turn on Putter Lane to take traffic towards the medical center. Putter Lane used to be one-way and it would have been a right turn but there are two problems with that now. First it is a two-way street now because homes were built and it required a two-way street. If you try to make it a right turn there now you would put traffic into the medical center and it has its own problems. That is not a good access in or out and if you go down Putter Lane it narrows to a 10' width where it exits into the medical center. If you try to widen it there ... I don't know if it is a cable box but something is sitting in the middle so you would have a problem. So we do not want a right hand turn and we want to keep the commercial traffic off of there as best we can.

If we allow unfettered egress to Putter Lane from this commercial establishment we will substantially injure the value of adjoining property and it could be a public nuisance. With that in mind, I am ready to call for a vote unless someone else has something that needs to be said before we vote in which case we can discuss it after we have the motion.

Mayor Perry made a motion to grant approval of the conditional use permit application to establish medical offices and a veterinary clinic at 5121, 5125, and 5129 Putter Lane, subject to the conditions recommended by the planning board, with the exception that the recommended condition 10 is amended to state the easements connecting the parking area with the adjoining parcels to the north and south must be recorded prior to the issuance of a building permit. Plus the condition that signage restricting access to Putter Lane for emergency vehicles must be erected at the entrance and exit of the Putter Lane egress. Town council concurs with the conditional use findings in the staff report, finds that

approval of this conditional use permit is consistent with the town's adopted CAMA Land Use Plan and finds that granting approval is in the public interest.

Perry: *The additional condition that was not in the original motion is we are adding signage restricting access to Putter Lane. That does not mean we are going to have somebody sitting there, a policeman or anything, it is just to try to keep traffic off the lane. Can we do that?*

Michael: *You can do that and you need to find as facts to support that. The comments you just made about why that needs to be done and you could also include ... as I recall there was some evidence or testimony that this connection was made simply for the purpose of being able to get the emergency vehicles to the fire hydrant and the hoses to the fire hydrant which would also justify the reason that it would be restricted only to emergency vehicles.*

Bateman: *The sign is going to say no-thru traffic, emergency vehicles only?*

Klutz: *Just emergency vehicles only I would think.*

Perry: *I do not think you can restrict no-thru traffic.*

MPT Bateman seconded the motion and it passed unanimously, 5-0.

8(b.) Site Plan Review: Application for approval of a site plan proposing a small addition to Atlantic Dentistry which would connect two existing office buildings. The proposal also includes various alterations to the site for traffic flow within the site itself.

Testerman: *The applicant is requesting approval to construct a small corridor addition about 74 square feet connecting the Atlantic Dentistry to a smaller office building on the same property at 3704 North Croatan Highway. In addition to the corridor there are other minor site improvements proposed that would bring the site further into compliance and help out with some emergency vehicle access. The subject property is 35,563 square feet in size and is zoned as BC-1. There are three existing buildings and the two southern buildings are where they are proposing the connector. The use of it is permitted by right in BC-1.*

Some of the minor site improvements are to bring it further into compliance. A survey was done in 2007 and the property had 56.4% lot coverage. Between 2007 and today there were some unapproved increases in the area covered by gravel in the drive aisle in the rear parking area. With approval of this they will be removing some of that gravel to bring it back down to 60%. Right now it is at 60.6% lot coverage. That would total up to about 1,091 square feet of gravel that would be removed.

Currently there is an exit from the rear parking to the front where the connection is going to go and they are proposing a new drive aisle that would be a one-way exit on the south side of the property. All the buildings comply with minimum setbacks. There are minor changes to the width of the northern access drive and turning radius of the southern access drive to bring it into

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compliance and better accommodate emergency vehicles. The rear parking is only accessible via a one-way access drive along the northern side of the property. The current exit, as I mentioned, is another one-way drive between the center and southern buildings and that is going to be moved to the south.

The proposed parking area meets the town's minimum standards with 28 parking spaces. The only other real change proposed is there is going to be additional signage for one-way and do not enter signs where necessary.

The planning board, at its December 11th meeting, voted unanimously to recommend approval of the site plan with the corridor addition and the site improvements to Atlantic Dentistry.

Late last week and into today there were new developments brought forward with this. There is a disagreement about where the property line goes with the property to the north. Additionally, the gravel that is being proposed to be removed somewhat connects to the parking lot next door. Evidently the trash trucks are going in, emptying the dumpster, backing out, going over to get the dumpster to the north and at some point it started chipping away at the asphalt. Gravel was added to protect the asphalt. You can see where the gravel runs up into the parking area to the north.

The property owners to the north, and the applicants for this, have been in discussion and they have a Plan B depending on how the lot line discrepancy works out. This plan was presented today and you can see this is the property line as it was applied for. The red line shows the property owner to the north believes the property line to be here and this plan calls for gravel removal closer to the building and retaining the gravel in between the properties to keep the protection of the parking lot area. The engineer working on this and the property owner to the north are here. They can probably speak in more detail about this.

Perry: *Steve can we even act on this?*

Michael: *If either property line makes it compliant you can but I do not know the answer to that question yet.*

Klutz: *Is there a survey? Is it like determining the right of way on Kitty Hawk Road? Is that what we are up against?*

Testerman: *It sounds like there are two separate surveys done at different times and the surveys say the boundary is in different spots.*

Bateman: *Ralph do you have clarity?*

Ralph Calfee, Engineer (and property owner to the north): *Yes. First the changes in the gravel along the edge of the driveway that purely and simply has to remain or there has to be a*

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barricade because the garbage trucks are tearing up the edge of the pavement on my property. Otherwise I do not have a problem with it. Quite frankly, even though it is not a standard way of accessing one site from another, it works and I do not think we ought to try and change it. It works way to well and anything else is not going to work.

Perry: *You are referring to the trash truck.*

Calfee: *Yes. The trucks go in the drive, empty the dumpster, back up just enough to swing over onto my driveway and then go back to my dumpster. It works.*

The other issue has to do with the northern property line. We have a dispute of around two and half feet as to where that property line is. Back at the rear corner of the property we agree. What I asked that they do is simply show that the site plan will work no matter how we resolve this property line. Either where they say it is, or I say it is, or anywhere in between, their lot coverage will still work. It is workable and I think it probably can be handled administratively. I have no objection and I am very much in favor of council approving it now.

Perry: *I have a question for you Rob. If I understand it correctly the fire chief had comments when it came to modifying driveways for emergency vehicles. It sounds to me this was not in compliance with at least current rules as far as access/egress for emergency vehicles but this site plan will fix that problem. Otherwise it will be grandfathered and not as useable as it will be with this plan.*

Testerman: *Right.*

Perry: *So we are making headway as far as making things better in a lot of ways.*

Testerman: *The plan that is being shown, that was submitted today, the engineer drew it as an exercise to show, as Ralph mentioned, wherever the lot line is finally determined to be they can get that 60% lot coverage. It can be verified through as-built drawings after the construction is done. If the as-built shows it is over 60% we can make them remove more to get it to 60% at that point. He is not committing to doing it this way, just showing however that lot line lays they can get the 60% lot coverage on there.*

Perry: *If we are to approve this you can do the rest of it administratively?*

Testerman: *Yes.*

Perry: *Okay. Clear something up for me. Gravel. Lot coverage is dealing with being able to have rain water percolate and gravel percolates. The problem here is it is being used as a parking lot. Is that the reason it comes into play?*

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Testerman: *I think staff mentioned in a previous report prior to me coming here the gravel is an unapproved parking area but it was already in existence on the site. We cannot make them go and pull all of it out and replace it with asphalt. I know when we are reviewing single family homes staff has told me even if owners are proposing not to pave a driveway to the house it is still counted as lot coverage. I do not know if it has to do with the compaction or how it is defined.*

Klutz: *We are not going to be approving something that will not result in what has been discussed here are we? The gravel is going to get in there and the property line will be established and everything will be okay.*

Applicant's engineer: *The gravel already exists.*

Klutz: *But the problem is that something is happening to the asphalt on the other property?*

Testerman: *There was before the gravel was put down. The original plan that was submitted called for the gravel to be removed.*

Klutz: *But it is not being removed.*

Perry: *It is still there to protect when the trash trucks go in. Are there any other questions?*

Hearing no further questions or comments, **Councilman Garriss made a motion to grant approval of this site plan for an addition to the existing Atlantic Dentistry office building at 3704 North Croatan Highway. Councilman Pruitt seconded the motion and it passed unanimously.**

8(c.) Call for Public Hearing: Text Amendment: Application to amend Section 42-252(c) of the Kitty Hawk Town Code to allow "truck rentals" as a conditional use, subject to certain conditions, in the Community Shopping Center (BC-3) zoning district. A public hearing is requested to be scheduled for the February 2, 2015 Town Council meeting.

Councilwoman Klutz made a motion to set a public hearing for the town council meeting on February 2, 2015 regarding the proposed text amendment to allow vehicle rentals as a conditional use in the BC-3 zoning district. A second was provided by Councilman Garriss and the motion passed unanimously, 5-0.

8(d.) Call for Public Hearing: Conditional Use Permit/Application for a conditional use permit to allow truck rentals, subject to certain conditions at The Home Depot, located at 5300 N. Croatan Highway. A public hearing is requested to be scheduled for the February 2, 2015 Town Council meeting.

Councilman Pruitt made a motion, seconded by MPT Bateman, to set a public hearing at the town council meeting on February 2, 2015 to consider a conditional use permit application to allow an accessory use of a truck rental business at The Home Depot, 5300 North Croatan Highway. The motion passed unanimously, 5-0.

9. Reports or General Comments from Town Manager

a.) Coastal Planning and Engineering Update – Manager Stockton reported Coastal Planning and Engineering has completed 85.1% of the scope of work as of November 2014. CP&E's work has included development of environmental documentation, beach fill design analysis and data collection associated with the off shore sand search. They have also been working on the plats needed for the attorneys to prepare the easement documents for the project. Attorney Michael said staff is ready to send out the easement agreements.

b.) Compliments to the Fire Department and Police Department – Manager Stockton said he recently received some nice letters from Barbara and Jim Waddell of Putter Lane. The police and fire department responded to several medical calls during the months of September and October 2014 and they were very complimentary of Police Officer Hines and Firefighters Nick Oprea, Jasper Rogers, Chris Dixon and Mike Basilone.

Manager Stockton said he also received a letter of compliment to the Kitty Hawk Fire Department for providing a fire drill for the Sea Scape Beach and Golf Villas. In particular Sea Scape was very complimentary of Captain Cole Yeatts for his instruction on the use of fire extinguishers.

c.) Lillian Street Beach Access Expansion Project – Manager Stockton reported he received notification from the Outer Banks Visitors Bureau that the town has been awarded a \$17,647 grant for the Lillian Street Beach Access Expansion project. This grant is subject to approval by the county commissioners and if approved the funds will be available in July. There is a pre-bid meeting tomorrow on the project.

10. Reports or General Comments from Town Attorney

There were no further comments or reports from the town attorney.

11. Reports or General Comments from Town Council

a.) Traffic Congestion at Ocean Boulevard and US 158 Intersection

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Perry: *There have been many conversations about congestion at 158 and 12 during the summer months and the police chief has been working on it even before all of the meetings that have been held. He has been working to get some kind of help for that issue. I am going to ask Chief Johnson to come and give a report.*

Chief Johnson *read aloud the following prepared statement: In an effort to reduce traffic congestion and further delays at the US 158 and Ocean Boulevard intersection during the peak tourist season the Kitty Hawk Police Department is coordinating to have a law enforcement officer stationed at the intersection on Saturday and Sundays on changeover days. Unfortunately the Kitty Hawk Police Department does not have sufficient staff or funds to place a Kitty Hawk Police Department officer at the intersection during these times. Therefore, in order for this to be accomplished, the Kitty Hawk Police Department will be enlisting the assistance of neighboring law enforcement agencies to assist at the intersection. The purpose of the law enforcement officer's presence at the intersection will be to ensure that the intersection remains clear during times when the traffic signal cycles. In addition to placing an officer at the Ocean Boulevard and US 158 intersection the police department will have a variable mobile message board near the Wright Memorial Bridge. The message board will be positioned to advise arriving motorists to use caution and not block the intersections. If anyone wishes to discuss their ideas or concerns about the weekend summer traffic delays they can contact me at the police department by email or phone.*

Perry: *I think I read somewhere the Highway Patrol is short a hundred people or so.*

Johnson: *They are short five in this district alone. They are soon to have three arrive so they will still be short. I am not sure of their availability to assist us at this time and they will notify us later.*

Perry: *And the other towns. Do you think they are going to help out? It is the town's intersection in the sense it is our patrol area. However the traffic that is congesting it is primarily going to other destinations.*

Johnson: *Duck, Southern Shores and the Sheriff's Office have all agreed to assist us. The Highway Patrol will be letting me know as we get closer to the summer months.*

Perry: *One thing folks need to understand is this is just for that one intersection. We are not going to try to monitor any of the rest of them. Left turns at Southern Shores is a Southern Shores problem. Thank you very much chief.*

b.) Vehicle Rentals as a Permitted Use in Commercial Areas

Councilwoman Klutz proposed asking the planning board to look into allowing vehicle rentals

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as a permitted use in commercial areas with parking standards and restrictions on vehicle repairs. There have been requests in the past and perhaps it is something to put in the code that might help with the vacant commercial properties in town.

Councilmembers replied they would possibly be in favor of a free standing rental business but are not especially in favor of ones that want to be allowed in parking lots with other types of uses. One that was presented previously showed a confusing traffic flow.

Following discussion, Mayor Perry said he is hearing that the planning board has already looked into this in at least one context and the other councilmembers are not enthused about going forward with looking into further.

c.) Overton Property Update

Mayor Perry said he talked with the attorney dealing with the Overton property and was told that on January 15th they will go before a judge. They do not expect any problems getting the proper titles and whatever else is necessary.

d.) Winks

MPT Bateman asked about Winks and Attorney Michael said he will check to see if the time for an appeal has run out. They sent an appeal to Superior Court but that is the wrong place to send it.

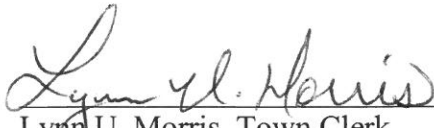
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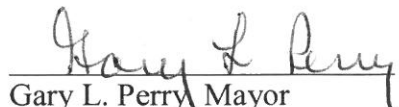
There were no public comments.

13. Recess to Monday, January 12, 2015, 10:00 a.m., Kitty Hawk Town Hall, Discussion of Privatization of Ocean Rescue

Councilman Garriss made a motion to recess to Monday, January 12, 2015 at 10:00 a.m. at the Kitty Hawk Town Hall for the discussion of privatization of ocean rescue. Councilman Pruitt seconded the motion and it passed unanimously, 5-0. Time was 6:53 p.m.

These minutes were approved at the February 2, 2015 council meeting.


Lynn U. Morris, Town Clerk


Gary L. Perry, Mayor